

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37319

STATE OF IDAHO,	)	2010 Unpublished Opinion No. 677
	)	
Plaintiff-Respondent,	)	Filed: October 18, 2010
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
DALE QUINCE DAVIS,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the Seventh Judicial District, State of Idaho, Madison County. Hon. Gregory W. Moeller, District Judge.

Judgment of conviction and concurrent unified sentences of ten years, with a minimum period of confinement of two years, for attempted strangulation and sentence of five years, with a minimum period of confinement of one year, for domestic battery, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jessica M. Lorello, Deputy Attorney General, Boise, for respondent.

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Before LANSING, Chief Judge; GRATTON, Judge;  
and MELANSON, Judge

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PER CURIAM

Dale Quince Davis pled guilty to attempted strangulation, I.C. § 18-923, and entered an *Alford*<sup>1</sup> plea to domestic battery, I.C. § 18-918(3). In exchange for his guilty pleas, additional charges were dismissed. The district court sentenced Davis to a unified term of ten years, with a minimum period of confinement of two years, and a fine of \$5,000 for attempted strangulation and a concurrent unified term of five years, with a minimum period of confinement of one year, and a fine of \$2,500 for domestic battery. Davis appeals.

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<sup>1</sup> See *North Carolina v. Alford*, 400 U.S. 25 (1970).

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Davis's judgment of conviction and sentences are affirmed.